agent[in a sufficient quantity to stabilize], wherein said agent stabilizes the size of [the] said particles [at a size of] to less than or equal to 160 [nm] nanometers.

2. (Amended.) [Composition] The composition according to claim 1, [characterized in that] wherein the at least one cationic transfection agent and the nucleic acid are present [therein] in a charge ratio of between 1 and 6.

3. (Amended.) [Composition] The composition according to claim [1 or] 2, [characterized in that] wherein the at least one cationic transfection agent and the nucleic acid are present therein in a charge ratio of less than 4.

4. (Amended.) [Composition] The composition according to [one of the preceding claims, characterized in that] claim 1, wherein the surface-active agent comprises at least one hydrophobic segment and at least one hydrophilic segment.

5. (Amended.) [Composition] The composition according to claim 4, [characterized in that] wherein the hydrophobic segment is [chosen from aliphatic chains, polyoxyalkylenes, alkylidene polyesters, polyethylene glycols with a benzyl polyether head, and cholesterol] an aliphatic chain, a polyoxyalkylene, an alkylidene polyester, a polyethylene glycol with a benzyl polyether head, or cholesterol.

6. (Amended.) [Composition] The composition according to claim 4 [or 5], [characterized in that] wherein the hydrophilic segment is [chosen from polyoxyalkylenes, polyvinyl alcohols, polyvinylpytrolidones, or saccharides] a polyoxyalkylene, a polyvinyl alcohol, a polyvinylpytrolidone, or a saccharide.

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7. (Amended.) [Composition] The composition according to [one of the preceding claims, characterized in that] claim 1, wherein the at least one non-ionic surface-active agent is a polyoxyalkylene of the [general] formula:

$HO\ (CH_2CH_2O)_a\ (CH\ (CH_3)\ CH_2O)_b\ (CH_2CH_2O)_cH$

[with a, b and c representing, independently of each other, integers which may vary between 20 and 100] wherein a, b, and c are, independently, a number from 20 to 100.

8. (Amended.) [Composition] The composition according to [one of the preceding claims, characterized in that it contains, as] claim 7, wherein the at least one non-ionic surface-active agent[, a] is a compound of the [general] formula:

$OH(CH_2CH_2O)_a\ (CH(CH_3)CH_2O)_b\ (CH_2CH_2O)_cH$, [with a equal to 75, b to 30 and c to 75] wherein a is 75, b is 30, and c is 75.

9. (Amended.) [Composition] The composition according to [one of the preceding claims, characterized in that it contains, as] claim 1, wherein the at least one non-ionic surface-active agent[, a compound of the family of] is a polyethylene glycol [with] comprising a dendritic benzyl polyether head.

10. (Amended.) [Composition] The composition according to [one of the preceding claims, characterized in that it contains, as] claim 1, wherein the at least one non-ionic surface-active agent[, a compound of the] is a polyoxyethylene alcohol[family].

11. (Amended.) [Composition] The composition according to [one of the preceding claims, characterized in that it contains, as] claim 1, wherein the at least one non-ionic surface-active agent[,] is a polyoxyethylene nonylphenyl ether.

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12. (Amended.) [Composition] The composition according to [one of the preceding claims, characterized in that] claim 1, wherein the at least one non-ionic surface-active agent is present [therein] at a concentration [of between] ranging from 0.01% [and] to 10% weight/volume of [the] said composition.

13. (Amended.) [Composition] The composition according to [one of the preceding claims, characterized in that] claim 12, wherein the at least one non-ionic surface active agent is present [therein] at a concentration [of between] ranging from 0.02% [and] to 5% weight/volume of [the] said composition.

14. (Amended.) [Composition] The composition according to [one of the preceding claims, characterized in that] claim 1, wherein the cationic transfection agent is a lipofectant.

15. (Amended.) [Composition] The composition according to claim 14, [characterized in that] wherein the lipofectant is an amphiphilic molecule comprising at least one lipophilic region [combined or otherwise with] and a hydrophilic region.

16. (Amended.) [Composition] The composition according to claim 14, [characterized in that it] wherein the composition is a lipid mixture [capable of forming] comprising cationic liposomes.

17. (Amended.) [Composition] The composition according to claim 14 [or 15], [characterized in that it] wherein the lipofectant is a cationic lipid.

18. (Amended.) [Composition] The composition according to claim 14 [or 15], [characterized in that it is a] wherein the lipofectant [comprising] comprises at least one polyamine region of the [general] formula:

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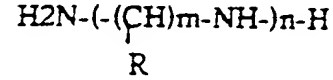
H_2N- (- $(CH)_m$-NH-) $_n$-H

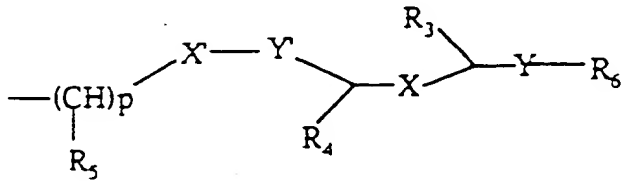
[in which] wherein m is [an integer] a number greater than or equal to 2 and n is [an integer] a number greater than or equal to 1, [it being possible for m to vary between the different groups of carbon between 2 amines,] wherein when n is greater than 1, m is independently a number greater than or equal to 2, [this] and wherein said polyamine region [being covalently combined with a] is covalently bonded to a lipophilic region of [the] a saturated or unsaturated hydrocarbon chain of cholesterol type, or a natural or synthetic lipid capable of forming lamellar or hexagonal phases.

19. (Amended.) [Composition] The composition according to claim 18, [characterized in that] wherein the polyamine region is [represented by] spermine or [one of its analogues which has conserved its nucleic acid-binding properties] an analogue thereof that binds nucleic acid.

20. (Amended.) [Composition] The composition according to claim 14 [or 15], [characterized in that it involves a] wherein the lipofectant [of] is of the [general] formula:



[in which] wherein R [denoting the] is a lipophilic region [is] represented by the [general] formula:



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[in which] wherein X and X' [represent] are, independently of each other, an oxygen atom, a methylene group $-(CH_2)_q-$ [with q equal to] wherein q is 0, 1, 2 or 3, or an amino group -NH- or -NR'-[, with R' representing] wherein R' is a C_1 to C_4 alkyl group[,];

Y and Y' [represent] are, independently of each other, a methylene group, a carbonyl group or a group C=S[,];

R_3, R_4 and R_5 [represent,] are, independently of each other, a hydrogen atom or a substituted or unsubstituted C_1 to C_4 alkyl radical[,];

[with p capable of varying between] p is a number from 0 [and] to 5[,];

R_6 [represents] is a cholesterol derivative or an alkylamino group $-NR_1R_2$ [with] wherein R_1 and R_2 [representing,] are, independently of each other, a saturated or unsaturated[, linear or branched] C_{12} to C_{22} aliphatic radical, wherein said radical is linear or branched.

22. (Amended.) [Composition] The composition according to [either of claims] claim 14 [and 15], [characterized in that it involves] wherein the lipofectant is a cationic lipid [carrying one or more guanidinium and/or amidinium groups] comprising at least one guanidinium or amidinium group or a mixture thereof.

23. (Amended.) [Composition] The composition according to [one of claims 1 to 13, characterized in that] claim 1, wherein the cationic transfection agent is a cationic polymer.

24. (Amended.) [Composition] The composition according to claim 23, [characterized in that the] wherein said cationic polymer is a compound of the [general] formula (I):

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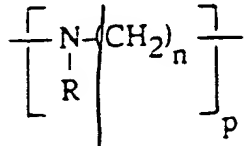
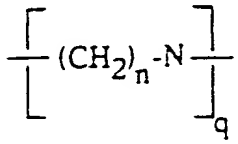


(I)

[in which] wherein R [may be] is a hydrogen atom or a group of formula:



wherein n [being an integer between] is a number from 2 [and] to 10, and p and q [being integers, it being understood that] are numbers wherein the sum p+q is such that the average molecular weight of the polymer [is between] ranges from 100 [and] to 10^7 Da.

25. (Amended.) [Composition] The composition according to claim 23, [or 24, characterized in that it involves the] wherein said cationic polymer is a polyethylene imine [of] having an average molecular weight of 50,000 Da (PEI50K), [the polyethylene imine of average molecular weight] 22,000 Da (PEI22K), or [the polyethylene imine of average molecular weight] 800,000 Da (PEI800K).

27. (Amended.) [Composition] The composition according to [one of the preceding claims, characterized in that the] claim 1, wherein said nucleic acid is a deoxyribonucleic acid.

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28. (Amended.) [Composition] The composition according to [one of the preceding claims, characterized in that the] claim 1, wherein said nucleic acid is a ribonucleic acid.

29. (Amended.) [Composition] The composition according to claim 27 [or 28], [characterized in that] wherein the nucleic acid is chemically modified.

30. (Amended.) [Composition] The composition according to [one of claims 1 to 26, characterized in that the] claim 1, wherein said nucleic acid is an antisense nucleic acid.

31. (Amended.) [Composition] The composition according to [one of the preceding claims, characterized in that the] claim 1, wherein said nucleic acid comprises a therapeutic gene.

32. (Amended.) [Composition] The composition according to [one of the preceding claims, characterized in that it comprises, in addition,] claim 1, further comprising an adjuvant [of the type comprising] selected from the group consisting of dioleoylphosphatidylethanolamine (DOPE), oleoylpalmitoylphosphatidylethanolamine (POPE), di-stearoyl, -palmitoyl, and -myristoyl phosphatidylethanolamines[as well as their derivatives which are N-methylated 1 to 3 times] optionally substituted with 1 to 3 N-methyl groups, phosphatidylglycerols, diacylglycerols, glycosyldiacylglycerols, cerebrosides [(such as in particular galactocerebrosides)], sphingolipids [(such as in particular sphingomyelins) or alternatively] and asialogangliosides.

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33. (Amended.) [Composition] The composition according to [one of the preceding claims, characterized in that it combines, in addition,] claim 1, further comprising a targeting element[with the cationic transfection agent].

34. (Amended.) [Composition] The composition according to claim 33, [characterized in that this] wherein said targeting element is [chosen from antibodies directed against molecules of the cellular surface,] an antibody directed against a cell surface molecule; a membrane receptor [ligands such as] ligand selected from the group consisting of insulin, transferrin, folic acid [or any other] and a growth factor[,]; cytokines; [or] vitamins[,]; lectins[, modified or otherwise,]; proteins with an RGD unit[,]; peptides containing a tandem array of RGD units[, cyclic or otherwise,] wherein said peptides are linear or cyclic; polylysine peptides[as well as natural or synthetic ligand peptides]; natural ligand peptides; and synthetic ligand peptides.

35. (Amended) [Process] A process for [the preparation of a composition comprising particles of cationic transfection agent(s)/nucleic acid complexes, characterized in that] making the composition according to claim 1, comprising forming particles by bringing [the] at least one transfecting agent and [the] a nucleic acid [are brought] into contact in the presence of a sufficient quantity of [a] at least one nonionic surface-active agent to stabilize the particles [of nucleic complexes thus] formed at a size of less than about 160 nm.

36. (Amended.) [Process] The process according to claim 35, [characterized in that one of the components choosen from] wherein the nucleic acid or the [lipofectant] at least one transfecting agent is mixed [beforehand] before said contact with the at

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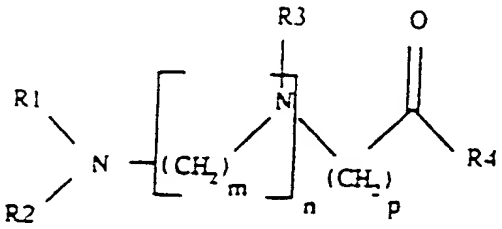
least one nonionic surface-active agent[before being brought into contact with the second component].

37. (Amended.) [Process] The process according to claim 35[or 36, characterized in that], wherein the at least one non-ionic surface-active agent [is defined therein according to claims 4 to 13] comprises at least one hydrophobic segment and at least one hydrophilic segment.

--38. The composition according to claim 14, wherein the lipofectant is of the formula:



wherein

R_1, R_2 and R_3 are, independently of each other, a hydrogen atom or a group $-(CH_2)_q-NRR'$, wherein each q is, independently, 1, 2, 3, 4, 5 or 6, and each R and R' is, independently of each other, a hydrogen atom or a group $-(CH_2)_{q'}-NH_2$, wherein q' is independently, 1, 2, 3, 4, 5 or 6;

m, n and p are, independently of each other, a number between 0 and 6, wherein when n is greater than 1, each m is capable of taking different values and each R_3 is capable of having different meanings within their respective definitions;

R_4 represents a group of formula:

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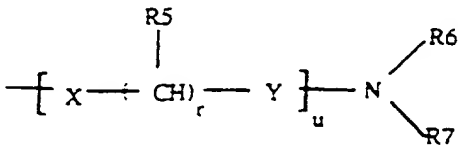

wherein R_6 and R_7 are, independently of each other, a hydrogen atom or a saturated or unsaturated C_{10} to C_{22} aliphatic radical, with the proviso that R_6 and R_7 are not both hydrogen atoms;

u is a number from 0 to 10, wherein when u is greater than 1, R_5, X, Y and r are capable of having different meanings within the different units [X-$(CHR_5)_r$-Y];

X is oxygen, sulphur, or an amine group which is monoalkylated;

Y is a carbonyl group or a methylene group;

R_5 is hydrogen or a natural amino acid side chain which is optionally substituted; and

r is a number from 1 to 10, wherein when r is equal to 1, R_5 is a substituted or unsubstituted natural amino acid side chain, and when r is greater than 1, R_5 is hydrogen.

39. The composition according to claim 32, wherein the cerebroside is a galactocerebroside.

40. The composition according to claim 32, wherein the sphingolipid is a sphingomyelin.

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41. The composition according to claim 1, wherein said cationic transfection agent is lipofectamine, dioctadecylamidoglycyl spermine (DOGS), palmitoylphosphatidylethanolamine 5-carboxyspermylamide (DPPES), 2,5-bis(3-aminopropylamino)pentyl(dioctadecylcarbamoylmethoxy)acetate or 1,3-bis(3-aminopropylamino)-2-propyl (dioctadecylcarbamoylmethoxy)acetate, $\{H_2N(CH_2)_3\}_2N(CH_2)_4N\{(CH_2)_3NH_2)(CH_2)_3NHCH_2COGlyN[(CH_2)_{17}CH_3]_2$, $H_2N(CH_2)_3NH(CH_2)_4NH(CH_2)_3NHCH_2COGlyN[(CH_2)_{17}CH_3]_2$, or $H_2N(CH_2)_3NH(CH_2)_4NH(CH_2)_3NHCH_2COArgN[(CH_2)_{17}CH_3]_2$.

42. The process according to claim 36, wherein the at least one transfecting agent is a lipofectant.

43. The process according to claim 37, wherein the hydrophobic segment is an aliphatic chain, a polyoxyalkylene, an alkylidene polyester, a polyethylene glycol with a benzyl polyether head, or cholesterol.

44. The process according to claim 37, wherein the hydrophilic segment is a polyoxyalkylene, a polyvinyl alcohol, a polyvinylpytrolidone, or a saccharide.

45. The process according to claim 35, wherein the at least one non-ionic surface-active agent is a polyoxyalkylene of the formula:

$HO(CH_2CH_2O)_a(CH(CH_3)CH_2O)_b(CH_2CH_2O)_cH$

wherein a, b, and c are, independently, a number from 20 to 100.

46. The process according to claim 45, wherein the at least one non-ionic surface-active agent is a compound of the formula:

$OH(CH_2CH_2O)_a(CH(CH_3)CH_2O)_b(CH_2CH_2O)_cH$, wherein a is 75, b is 30, and c is 75.

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